

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

FRED RATLIFF, JR. )  
 )  
 )  
v. ) No. 3:12-1238  
 ) JUDGE CAMPBELL  
 )  
JEWELL STEELE, WARDEN )

ORDER

Pending before the Court is the Magistrate Judge's Report And Recommendation (Docket No. 19) recommending that the Court deny the Petitioner's Motion To Allow Discovery (Docket No. 17); grant the Respondent's Motion To Dismiss (Docket No. 12); deny the Petitioner's Petition For Writ Of Habeas Corpus (Docket No. 1); and deny the issuance of a certificate of appealability as to Petitioner's claims. The Petitioner has filed Objections (Docket No. 20) to the Report and Recommendation.

The Court has independently reviewed the Magistrate Judge's determinations, the Petitioner's objections, and the entire record. The Petitioner's objections are without merit and are overruled. The Report and Recommendation is ADOPTED and APPROVED in its entirety. Accordingly, the Petitioner's Motion To Allow Discovery (Docket No. 17) is DENIED; Respondent's Motion To Dismiss (Docket No. 12) is GRANTED; and the Petitioner's Petition For Writ Of Habeas Corpus (Docket No. 1) is DENIED and this case is DISMISSED.

This Order shall constitute the judgment in this case pursuant to Fed. R. Civ. P. 58.

Should the Petitioner give timely notice of an appeal from this Order, such notice shall be treated as a application for a certificate of appealability, 28 U.S.C. 2253(c), which will not issue because the Petitioner has failed to make a substantial showing of the denial of a constitutional

right. Castro v. United States, 310 F.3d 900 (6th Cir. 2002).

It is so ORDERED.

Todd Campbell  
TODD J. CAMPBELL  
UNITED STATES DISTRICT JUDGE